

EL-18607



RE: Port MacKenzie Final PA - More SHPO Comments

johnson.jay to: David.Navecky

05/06/2011 04:05 PM

Cc: ASummerville, RStarzak, kusske.floyd.kathryn

From: <johnson.jay@DORSEY.com>

To: <David.Navecky@stb.dot.gov>

Cc: <ASummerville@icfi.com>, <RStarzak@icfi.com>, <kusske.floyd.kathryn@DORSEY.com>

History: This message has been forwarded.

1 attachment



Final PA 04-15-2011 (2).doc

Dave,

ARRC has reviewed the most recent changes to the Programmatic Agreement proposed by SHPO, and is writing this email to express its concerns.

In general, ARRC is concerned that adding new members to the Working Group created in Stipulation III of the PA conflicts with the primary purpose of forming a smaller group to address various issues that may arise in connection with specific stipulations. At the same time, ARRC recognizes SHPO's concern over adding the Iditarod Historic Dog Sledding District to the Working Group's responsibilities. But instead of expanding the Working Group, as SHPO suggests, ARRC believes that the best solution is to simply remove Stipulation V relating to the Iditarod Historic Dog Sledding District from the list of issues that will be addressed in the Working Group's Memorandum of Understanding. That change fully addresses SHPO's stated concern without altering the composition of the Working Group. (HTK and WDMA will still be able to participate in the Workshop conducted by ARRC pursuant to Stipulation V.) With the Iditarod Historic Dog Sledding Group removed from the Working Group's purview, there should be no need for additional changes to Stipulation III.D.

With regard to the other change proposed by SHPO, ARRC does not agree with the deletion of the word "contributing" on page 9 of the PA. ARRC considers "contributing element" to be a commonly used term of art with an accepted meaning. In ARRC's view, using the term "element" by itself is confusing.

A redline showing ARRC's proposed change to Stipulation III.D is attached.

We are happy to discuss these issues in more detail over the phone at your convenience.

Regards,

Jay

-----Original Message-----

From: David.Navecky@stb.dot.gov [mailto:David.Navecky@stb.dot.gov]

Sent: Wednesday, May 04, 2011 10:16 AM

To: Kusske Floyd, Kathryn; Johnson, Jay
Cc: Summerville, Alan; Starzak, Richard
Subject: Port MacKenzie Final PA - More SHPO Comments

Kathryn and Jay -

The SHPO has submitted more comments on the Final PA, dated April 15, 2011, that had been sent out for signature. I have attached the two pages that contain edits. Let me know if the edits are acceptable to ARRC and MSB.

I've made a similar inquiry with the ACHP.

Thanks,

Dave

(See attached file: SHPO Edits on Final PA.pdf)